

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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RANDY CARO,

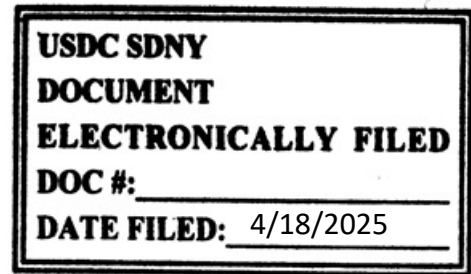
Plaintiff,

-against

LJB FACILITIES MANAGEMENT, LLC,

Defendant.
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TO: JENNIFER H. REARDEN, UNITED STATES DISTRICT JUDGE
FROM: KATHARINE H. PARKER, UNITED STATES MAGISTRATE JUDGE



23-CV-3513 (JHR) (KHP)

REPORT AND RECOMMENDATION
ON RE-OPENING CASE

On November 4, 2024, the undersigned issued a report and recommendation recommending that Defendant's Motion to Dismiss be granted without prejudice and that Plaintiff be provided with an opportunity to amend his complaint. (ECF No. 35) On March 31, 2025, the Honorable Jennifer H. Rearden adopted the undersigned's recommendation in full and ordered the case to be closed. (ECF No. 37) On April 11, 2025, Plaintiff filed a letter requesting that his case be re-opened, the Clerk of Court's judgment be vacated, and he be allowed to file an Amended Complaint. (ECF No. 39) To allow Plaintiff an opportunity to file an Amended Complaint consistent with the recommendation in the undersigned's report and recommendation that the Court adopted, I recommend that this case be re-opened and that the judgment be vacated, and should this recommendation be accepted, that Plaintiff be permitted to file an Amended Complaint within 30 days of the case being re-opened. This recommendation is consistent with Federal Rule of Civil Procedure 60(a). I further recommend that if Plaintiff does not file an amended pleading within that 30-day period, the case be closed and judgment re-entered on behalf of Defendant.

Dated: April 18, 2025
New York, New York



KATHARINE H. PARKER
United States Magistrate Judge

NOTICE

Plaintiff shall have seventeen days, and Defendant shall have fourteen days, from the service of this Report and Recommendation to file written objections to the Report and Recommendation, pursuant to 28 U.S.C. § 636(b)(1) and Rule 72(b) of the Federal Rules of Civil Procedure. *See also* Fed. R. Civ. P. 6(a), (d) (adding three additional days only when service is made under Fed. R. Civ. P. 5(b)(2)(C) (mail), (D) (leaving with the clerk), or (F) (other means consented to by the parties)).

A party may respond to another party's objections after being served with a copy. Fed. R. Civ. P. 72(b)(2). If any party files written objections to this Report and Recommendation, Plaintiff shall have seventeen days to serve and file a response. Defendant shall have fourteen days to serve and file any response. Such objections shall be filed with the Clerk of Court, with courtesy copies delivered to the chambers of the Honorable Jennifer H. Rearden at the United States Courthouse, 500 Pearl Street, New York, New York 10007, and to any opposing parties. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 6(a), 6(d), 72(b). Any requests for an extension of time for filing objections must be addressed to Judge Rearden. The failure to file these timely objections will result in a waiver of those objections for purposes of appeal. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 6(a), 6(d), 72(b); *Thomas v. Arn*, 474 U.S. 140 (1985).